



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 15, 2018

TIME: 10:13 AM

WSR 18-11-069

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Subject of possible rule making: The department is planning to add new sections and amend existing sections in chapter 388-78A WAC, including WAC 388-78A-3140, WAC 388-78A-3150, WAC 388-78A-3152, WAC 388-78A-3160, WAC 388-78A-3170, WAC 388-78A-3180, WAC 388-78A-3190, WAC 388-78A-3200, and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: Chapter 18.20 RCW

Reasons why rules on this subject may be needed and what they might accomplish: The department is planning to amend chapter 388-78A WAC as required to assure compliance with requirements of HB 2750 passed by the 2018 legislature. HB 2750 requires a "tiered sanction grid that considers the extent of harm from the deficiency and the regularity of the occurrence of the deficiency when imposing civil fines". In addition, it requires that "all receipts from civil penalties imposed under this chapter must be deposited in the assisted living facility temporary management account created in RCW 18.20.430". This will require changes to the additional enforcement sections listed.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: N/A

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule-making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Jeanette Childress, Policy Program Manager

Address: PO Box 45600, Olympia, WA 98504-5600

Phone: 360-725-2591

Fax: 360-407-1976

TTY:

Email: childjk@dshs.wa.gov

Web site: <https://www.dshs.wa.gov/altsa>

Other:

(If necessary)

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

Additional comments:

Date: May 15, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: